

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEPHANIE DE ANGELIS,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:17-CV-924
v.	:	
	:	JUDGE ALGENON L. MARBLEY
NATIONAL ENTERTAINMENT GROUP	:	
LLC.,	:	Magistrate Judge Deavers
	:	
Defendant.	:	
STEPHANIE DE ANGELIS,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:17-CV-926
v.	:	
	:	JUDGE ALGENON L. MARBLEY
NOLAN ENTERPRISES, INC.,	:	
	:	Magistrate Judge Deavers
Defendant.	:	
STEPHANIE DE ANGELIS,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:17-CV-927
v.	:	
	:	JUDGE ALGENON L. MARBLEY
ICON ENTERTAINMENT GROUP	:	
INC., et al.,	:	Magistrate Judge Deavers
	:	
Defendants.	:	
STEPHANIE DE ANGELIS,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:17-CV-985
v.	:	
	:	JUDGE ALGENON L. MARBLEY
C G Consulting LLC, et al.,	:	
	:	Magistrate Judge Deavers
Defendants.	:	

ORDER

The above-captioned cases are all designated as related. On April 16, 2018, the Court granted a stay in two of the cases, 2:17-cv-927 and 2:17-cv-985, pending the Supreme Court's decision in *Epic Systems Corp. v. Lewis, Ernst & Young LLP et al v. Morris, and National Labor Relations Board v. Murphy Oil USA, Inc.* (ECF Nos. 24 and 51, respectively). The Supreme Court issued a decision in *Epic Systems* on May 21, 2018. *See Epic Systems v. Lewis*, --- S. Ct. --- (2018), 2018 WL 2292444. The Court therefore **LIFTS THE STAY** in cases 2:17-cv-927 and 2:17-cv-985.

In each of the above-captioned cases, Plaintiffs filed a Motion to Certify a Conditional Class. (2:17-cv-924, ECF No. 2; 2:17-cv-926, ECF No. 2; 2:17-cv-927, ECF No. 2; 2:17-cv-985, ECF No. 2). In all but one of the cases (2:17-cv-927 against ICON Entertainment Group, *et al.*) there are pending motions to dismiss, motions for judgment on the pleadings, motions to strike, and/or motions to compel arbitration. (2:17-cv-924, ECF Nos. 6, 11; 2:17-cv-926, ECF No. 15; 2:17-cv-985, ECF Nos. 28, 29, 30, 34, 43). Defendants in the remaining case against ICON Entertainment Group Inc. *et al.* have also indicated an intent to file a motion to stay or dismiss in favor of arbitration. (2:17-cv-927, ECF No. 22 at 2). “[D]istrict courts have wide discretion to manage their own dockets and to decide issues which have consumed considerable resources.” *Reed v. Rhodes*, 179 F.3d 453, 471 (6th Cir. 1999). Within this discretion, the Court hereby sets the following briefing schedule:

1. The defendants in Case No. 2:17-cv-927 against ICON Entertainment Group Inc., *et al.*, have until **June 6, 2018** to file any motion to stay or dismiss in favor of arbitration.¹ The responses in opposition and replies in support of such motions will follow the briefing

¹ As indicated, the Defendants represented to the Court that they plan to file such a motion. *See* ECF No. 22 (“Defendants intend to move to stay or dismiss in favor of arbitration, pursuant to 9 U.S.C. § 9 in lieu of an answer”).

schedule below (June 19, 2018 for responses in opposition and July 3, 2018 for replies in support).

2. Any response in opposition to any motion to dismiss, motion for judgment on the pleadings, motion to strike, and/or motion to compel arbitration in any of the above-captioned cases must be filed on or before **June 19, 2018**. This includes any responses in opposition to the following docket numbers (if not already filed): ECF Nos. 6 and 11 in Case No. 2:17-cv-924; ECF No. 15 in Case No. 2:17-cv-926; ECF Nos. 28, 29, 30, 34, and 43 in Case No. 2:17-cv-985; and any motion to dismiss or similar pleading filed by June 6 in Case No. 2:17-cv-927.
3. Any replies in support of the motions to dismiss, motions for judgment on the pleadings, motion to strike, and/or motions to compel listed in subsection two above must be filed on or before **July 3, 2018**.

It is within the Court's discretion to determine the order it will rule on any pending motions. *See Cobble v. 20/20 Commc'ns, Inc.*, No. 2:17-CV-53-TAV-MCLC, 2017 WL 4544598, at *3 (E.D. Tenn. Oct. 11, 2017) (“[D]etermining the order in which particular matters will be addressed in litigation is a quintessential prerogative of the trial court.”). The Court determines it will be most efficient and in the interest of judicial economy to consider the pending dispositive motions discussed above before considering the pending motions to conditionally certify a class. Therefore, the Court hereby **VACATES** the hearings on the class certification motions currently scheduled for July 30, 2018 in cases 2:17-cv-924 and 2:17-cv-926. All pending class certification motions (ECF No. 2 in each case) are hereby **DISMISSED WITHOUT PREJUDICE**. Plaintiffs are free to re-file the motions at any time after the Court rules on the

dispositive motions referenced above. In light of this ruling, ECF Nos. 12 and 16 in Case No. 2:17-cv-926 are hereby **MOOT**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Court Judge

DATED: May 30, 2018